

**MINUTES
BOATING AND WATERWAYS COMMISSION MEETING
SACRAMENTO, CALIFORNIA
DECEMBER 1, 2010**

Pursuant to due and regular notice, the meeting of the Boating and Waterways Commission was called to order by Chairman Metz on December 1, 2010, at 8:34 A.M. at the Courtyard Cal Expo, 1782 Tribute Road, Sacramento, California.

ROLL CALL

Commissioners Present: Douglas W. Metz; Lenora S. Clark; Brendan Huffman; Stephan Moore; H.P. "Sandy" Purdon, and Matthew Webb

Dept. of Boating and Waterways

Personnel Present: Lucia C. Becerra, Acting Director; Penny Schulz, Staff Counsel; Steve Watanabe, Division Chief; Sylvia Hunter, SSM II, and Margarita Sanchez, Administrative Assistant

CONVENE AND APPROVAL OF MINUTES

Chairman Metz noted a correction to be made on page three, under *San Francisco West Harbor, City of San Francisco*, second bullet point, second sentence. The beginning of the sentence should be stricken and should read "The City is to provide evidence...". He also noted the entire seventh bullet point should be stricken.

Commissioner Purdon noted on page four, under *Motion*, second sentence, the word "million" should be added and should read "\$25.411 million...".

MOTION: *It was moved by Commissioner Purdon and seconded by Commissioner Webb that the Boating and Waterways Commission Minutes of May 26, 2010, meeting be approved with corrections. The motion carried unanimously.*

CHAIRMAN'S REPORT

Chairman Metz stated the Commission has only met three times this year and he noted that the Department's staff has done a great job even with all the constraints it has to deal with.

DIRECTOR'S REPORT

Ms. Becerra spoke briefly on the Department of Finance's final report on the Department's loan program. Chairman Metz asked that an update on the progress of implementing the suggestions of the report be given to the Commission at future meetings.

Ms. Becerra added the Department is committed to one more year for the Wear it Campaign and she would like the Commission to give feedback and suggestions on next year's campaign. Commissioner Clark asked if the campaign could be statewide in the future. Ms. Becerra indicated the idea could be discussed at the next workshop.

LEGISLATIVE REPORT

Copies of the Legislative Report were available to the public. Ms. Becerra indicated there was nothing new to report.

PUBLIC COMMENT

Jim Haussener, Executive Director, California Marine Affairs and Navigation Conference, commented on federal bills H.R.4844 and S.3213, bills that are related to the harbor maintenance tax which is used to pay for federal dredging. Commissioner Purdon suggested that the Commission support these bills. Ms. Becerra indicated she will send a letter to the Commission to approve regarding these bills.

Mitch Austin, Recreation Manager, City of Martinez, introduced himself and gave a brief update on the Martinez Marina.

Ted Warburton, Legislative Chair, California Association of Harbor Masters & Port Captains, spoke on the support of the San Francisco Marina project.

Larry White, spoke on the support for the San Francisco Marina Project.

CONSIDERATION OF MISCELLANEOUS ITEMS

Mr. Watanabe presented and recommended approval of the miscellaneous items.

Non-Motorized Boat Launching Facilities

MOTION: *It was moved by Commissioner Huffman and seconded by Commissioner Moore that the Boating and Waterways Commission approve Harbors and Watercraft Revolving Funds in the amount of \$550,000 for design and construction of statewide small non-motorized boat launching facility projects. Commissioners Purdon, Moore, Huffman, Webb and Metz voted "yes" and Commissioner Clark voted "no".*

Signs

MOTION: *It was moved by Commissioner Moore and seconded by Commissioner Purdon that the Boating and Waterways Commission approve Harbors and Watercraft Revolving Funds in the amount of \$20,000 for replacement of deteriorated or outdated project credit signs at Department of Boating and Waterways funded boat launching or marina facilities. The motion carried unanimously.*

Floating Restrooms

MOTION: *It was moved by Commissioner Clark and seconded by Commissioner Purdon that the Boating and Waterways Commission approve Harbors and Watercraft Revolving Funds in the amount of \$300,000 to be used to provide the required state-match of 25% minimum to utilize the federal Clean Vessel Act funds received by Department of Boating and Waterways to pay for most of the statewide floating restroom program. The motion carried unanimously.*

Ramp Repair & Modification

MOTION: *It was moved by Commissioner Purdon and seconded by Commissioner Webb that the Boating and Waterways Commission approve Harbors and Watercraft Revolving Funds in the amount of \$1,133,000 for emergency repairs to boat launching facilities caused by storms or other unforeseen events or to widen or extend existing boat launching ramps in order to provide uninterrupted access to lakes during drought conditions or periods of high use. The motion carried unanimously.*

Chairman Metz called for a break at 9:49 A.M.; meeting resumed at 9:59 A.M

CONSIDERATION OF PUBLIC LOANS

Ms. Hunter presented to the Commission for its advice and consent the following request for public loans.

San Francisco Marina-West, Reconsideration

The City and County of San Francisco requested a loan for \$6,995,000 from the Harbors and Watercraft Revolving Fund at the May 26, 2010, Boating and Waterways Commission meeting. The money is to be used to complete the rebuild of the San Francisco Marina West Harbor. The Commission approved the loan, pending satisfaction of several requirements.

Ms. Hunter has indicated that the City and County of San Francisco have met the requirements set forth at the May 26, 2010, Commission meeting. Ms. Hunter recommends that the Commission recognize the satisfaction of the contingent items.

Katie Petrucione, Financial Director, and Mary Hobson, Project Manager, City of San Francisco, were available to answer questions from the Commission.

Public Comment

Jim Diepenbrock, Director, San Francisco Marina Harbor Association, and Bright Winn, Port Captain, Golden Gate Yacht Club, urged the Commission to approve the San Francisco Marina West Harbor project.

Dominic Maionchi, asked that the Commission let the San Francisco Marina renovation go forward with the \$16 million and the additional funds they already have and not put the additional \$7 million at risk. He indicated there is no 1.2 debt service ratio and there is no agreement in place for the escrow account set aside, which was a condition of the loan. Mr. Maionchi indicated the Commission should not approve the project. Mr. Maionchi also noted he has not received his Public Record Act requests.

Nancy Wuerfel, asked that the Commission not approve the San Francisco Marina project and it should be delayed until all critical factors of the loan are met. She said there is no collateral for the loan, no open space fund and no general fund money available for the project and there is some jeopardy for the State not to require a review of what collateral is available for the project. Ms. Wuerfel indicated the project design will reduce the number of slips and it would affect the revenue stream. She would like to see the new designs and new projections.

After discussion, a motion was made.

MOTION: *It was moved by Commissioner Clark and seconded by Commissioner Purdon that the City and County of San Francisco have met the requirements set forth in the May 26, 2010, Commission meeting. The motion carried unanimously.*

Alamitos Basin, Long Beach 2 & 3, Reconsideration

The City of Long Beach requested a loan for \$9 million at the May 26, 2010, Boating and Waterways Commission meeting. The monies would be used to rebuild Basins 2 & 3 of the Alamitos Bay Marina. Department staff recommended denying the City's request because of lack of funding identified to complete construction. The Commission approved the loan request contingent upon receipt of a Letter of Intent from the Long Beach City Council outlining its plan to move forward with Bond funding to supplement approved DBW loan funds to complete construction of Basin 2 & 3.

Ms. Hunter indicated instead of a Letter of Intent, it recommends that the Boating and Waterways Commission set a deadline of no later than May 31, 2011, for the City to provide the Department with evidence of a fully funded project, specifying the funding source and timeline

to bridge the gap. To the extent the deadline is not met, funds could potentially be made available for other needs across the State. Staff also recommends that repayment of the principal amount disbursed and interest would begin August 1, 2011.

Public Comment

Jim Haussener, Recreational Boater, spoke on his concern with the Department's funds. He said the Department currently has a budget of about \$25 million coming into the Harbors and Watercraft Revolving Fund and about \$9 million is going out for public loans and if this trend continues, there will not be any money in the fund. He said if a timeline is put in for this project at this time it is premature and arbitrary. He asked that the Commission not follow Department staff's recommendations on the project.

Mark Sandoval, Manager of Marinas and Beaches, City of Long Beach, was available to answer questions from the Commission.

Mr. Sandoval gave a brief summary of the Alamitos Bay Marina and a PowerPoint presentation on Alamitos Bay Marina Phased Rebuild. He noted that in the May 26, 2010, Commission meeting, the loan was approved without a deadline date. Mr. Sandoval asked that the deadline date of May 11, 2011, be moved closer to when the funds are actually going to be drawn down.

After discussion a motion was made.

MOTION: *It was moved by Commission Clark and seconded by Commissioner Purdon that the Boating and Waterways Commission approve Boating and Waterways staff recommendation to set a deadline of no later than May 31, 2011, for the City of Long Beach to provide the Department of Boating and Waterways with evidence of a fully funded project, specifying the funding source and timeline to bridge the gap. The motion carried unanimously.*

Ms. Becerra stated that the Department will give the Commission a status report on this project at every Commission meeting.

NEW BUSINESS

Completed Projects

Mr. Watanabe gave a PowerPoint presentation on completed Department of Boating and Waterways projects.

COMMISSIONER ANNOUNCEMENTS

Election of Officers for 2011

MOTION: *It was moved by Commissioner Metz and seconded by Commissioner Purdon that Commissioner Clark be the Chair for 2011. The motion carried unanimously.*


MOTION: *It was moved by Commissioner Purdon and seconded by Commissioner Webb that Commissioner Huffman be the Vice Chair for 2011. The motion carried unanimously.*

2011 Meeting Schedule

Ms. Becerra suggested that the meeting schedule for 2011 be put on the next Commission meeting agenda and the Commissioners agreed that the next meeting be held January 11 and 12, 2011, in Sacramento.

ADJOURN

Chairman Metz adjourned the meeting at 11:30 A.M.



Lucia C. Becerra, Acting Secretary